

R277. Education, Administration.

R277-523. Teacher Salary Supplement Program.

R277-523-1. Authority and Purpose.

(1) This rule is authorized by:

(a) Utah Constitution Article X, Section 3, which vests general control and supervision over public education in the Board;

(b) Section 53A-1-401, which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law; and

(c) Section 53A-17a-156, which directs the Board to make rules regarding the administration of the Teacher Salary Supplement Program.

(2) The purpose of this rule is to establish application and appeal procedures for administration of the Teacher Salary Supplement Program.

R277-523-2. Definitions.

(1) "Certificate teacher" means the same as that term is defined in Subsection 53A-17a-156(1)(b).

(2) "Eligible teacher" means the same as that term is defined in Subsection 53A-17a-156(1)(c).

(3) "Substantially equivalent" means commonly recognized by a Utah university for a degree in a specific subject.

(4) "Teacher Salary Supplement Program" or "TSSP" means the salary supplement program authorized by the Legislature in Section 53A-17a-156.

R277-523-3. Program Administration.

(1) The Superintendent shall allocate funds for salary supplements to eligible teachers and certificate teachers in accordance with Subsection 53A-17a-156(3).

(2) The Superintendent shall maintain an online application system for the TSSP and make it available to educators no later than October 1 each school year.

(3) An applicant for the TSSP shall apply to the Superintendent by the following deadlines:

29 (a) Trimester payments, prior to November 15;

30 (b) Semester payments, prior to January 31; and

31 (c) Annual payments, prior to April 30.

32 (4) A Title I certificate teacher shall receive a partial award if the certificate
33 teacher has a partial assignment in a Title I school or works less than the full school
34 year, which shall be proportional to the teacher's assignment, the portion of the
35 assignment worked in a Title I school, and the overall portion of the school year worked.

36 (5)(a) If an applicant is denied funds under this Section R277-521-3, the
37 applicant may submit a written appeal to the Superintendent prior to June 1.

38 (b) An appeal under Subsection (5)(a) is limited to the following issues:

39 (i) whether the applicant has a degree or degree major with course requirements
40 that are substantially equivalent to the course requirements for a degree listed in
41 Section 53A-17a-156;

42 (ii) whether the applicant holds a current National Board Certification;

43 (iii) whether the applicant was to teach at a Title I school during the period
44 covered by the TSSP award;

45 (iv) whether the Superintendent's initial denial violated Section 53A-17a-156 or
46 this Rule R277-521; or

47 (v) whether the Superintendent's initial denial was based on inaccurate or
48 missing information.

49 (c) The Superintendent shall designate a panel of at least two Board staff
50 members to review an appeal made under Subsection (5)(a).

51 (i) A panel designated in accordance with Subsection (5)(c) may not grant an
52 appeal contrary to the provisions of Section 53A-17a-156 or this Rule R277-521.

53 (ii) The panel shall issue a ruling on an appeal with 30 days of receipt of the
54 written appeal.

55 (6)(a) If a panel designated in accordance with Subsection (5)(c) decides against
56 an applicant, the applicant may appeal the decision to the Superintendent by filing a
57 written appeal within 15 days of the date of the panel's ruling.

58 (b) If an applicant files an appeal in accordance with Subsection (6)(a), the

59 appeal is limited to correction of a material and manifest error by the panel.

60 (c) The Superintendent shall issue a ruling on an appeal within 15 days of receipt
61 of the written appeal.

62 (d) The decision of the Superintendent on an appeal under Subsection (6)(a) is
63 the final Board administrative action.

64 (7) If the appropriation for TSSP is insufficient to cover all eligible teachers and
65 certificate teachers entitled to awards, the Superintendent shall reduce all awards by
66 the same ratio and proportion.

67 **KEY:**

68 **Date of Enactment of Last Substantive Amendment: 2018**

69 **Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53A-1-401**